App F IX 4

Previous References

1938 (nil)

File No 148-28

Serial Nos. 18, 19, 21 / 22 24 & 25-

Later References

General and Revenue Secretariat

Serial Nos 6

Part B for November 1930

SUBJECT

Grant of land measuring 779 Square yards to the Junkur nilty in front of the Post office building required for a motor bus stand

25) To The Deputy Comr Junkur SC
L 3566 Dy 1/11/30
Says the presumption of ownership is in favor of the Postal dept and not of Govt

1 1 & 52 29

App F III—2]

General and Revenue Secretariat | File No 118 of 1928

Serial No	
18	Memo no L & D- Ag 3537/28-29 dated 28 th May 1929 from the Dy Commr Trichinopoly District forwarding letter no 573 dated 29.5.29 from the Personal Assistant to the Town Municipal Chairman regarding the grant of land measuring 77'9" sq yards in front of the City Post Office building, required for a motor Bus Stand From the Personal letter it is seen that the Superintendent of Post offices who was addressed by the Municipality wished to say, that the Municipality should apply for the land direct to Govt and the Superintendent further adds that it is also learnt that the vacant space in question belongs to Govt but he is not sure as to who the rightful owner of the property is, as is known from the manner in which he seeks orders of Govt. This appears that the matter will have to be settled before taking further action The Dy Shd'd have called up the Tah'dr by investigation if necessary at the Spot This up at present may now be called for K 22/6 A report regarding the ownership of the land may be called for from the Dy C Engr 11/6/29 Yes BM 26/6 Engr 27/6/29 21/6/29

Note—Cont'n Sheet

WD 0168 —GPB— 0000— 4 29

Serial No.	
	Submitted with a draft for approval
	23/6/29
	Issue 27/7/29
9	Memo no L 45-81 of 1929 to we Tehsildar requesting him to submit a report regarding the ownership of the land
	KE Tehsildar LSG 27/7/29
21	Letter no A3-67/29-30 dated 2nd Aug 29 from the Deputy Commr Amritsar, forwarding information
H	The Tehsildar has not said in his letter dated 23/7/29 to the Dy Commr that "as the Superintendent himself admits that the land claimed by Ajaibe Singh, it may be presumed therefore that the land belongs to Govt" and the Dy Commr forwards the letter of Tehsildar.
	Whether this presumption is enough as regards the ownership of the land is for consideration if the land belongs to Ajaibe Singh why reference should be 31/8/29 made to Tehsildar must be cleared 30/8/29
	The Dy C must make necessary enquiry & come to a decision as to whether the land in dispute belongs to Govt or not. We cannot act on presumptions if the land belongs to Govt, we can give consent & it is only when it does not belong to Govt we have to move Govt in the matter. 2/9/29
	2/9 5/8

Note—Contn Sheet

620/2

General and Revenue Secretariat

File No .148

App F III—21 of 192 8

Serial No	
-	I agree, draft Re 17/8 WB Submitted with a draft for approval WB 17-8-29 WB 16/9/29 [illegible] WB 16/9
	Issue Re 19/9 WB
22.	To The DC Lemuru L 2285 Dy 24 9 29 States that Govt Cant act on presumpt & directs him to enquire & make a definite reference as to the ownership of the land
24	Letter no - L Dis A3 67/29-30 dated 8th April 1930, from the Dy Commr Lumbwa district furnishing the information in the matter - The Dy Commr states that there are no entries in the Village accounts to show that the land belongs to Government The Provincial Chief is stated to have replied that no information in this respect is forthcoming in his office and the Dy Commr further state that the Postal Department do not seem to be in possession of any document to show that that department is the owner of the land

Re this was suspended and forms not to be sent while searching old papers WB 16/9/29

GEN & R^V SECTT. 30 SEPT 1929 L & R BRANCH

WD 01684—GPB—30 000—20 4 29

General and Revenue Secretariat

4967 App F III—2]

File No 168 of 192

Serial No

and a suggestion

~~It is not clear how~~ a reference to the Records of 1000 transferring the "Aduvi" to the British Postal authorities would enable ~~Govt~~ the Govt to know who the owner of the land in question was

The Taluq Records may be kindly requested to state if the Records throw any light on the matter

83 12/4/30

45 14/4/30

48 16/4

Compare Taluq Records with comptn 45 16/4/30

A thorough search was made in all possible ways for the references referred to above in the Records connected thereto No mention is made of the reference required in them

84 23/4/30 Submitted

83 23 4 30

In the absence of entries in the Village accounts as to the ownership by Govt of the land in question and of the fact that it is enclosed and to under the occupation or possession of the Postal Department it is perhaps best for the Govt to agree

Note—Contn Sheet

General and Revenue Secretariat | File No 148 of 192

Serial No

Rg Land
2/5730

with the Dept & that the land belongs to be presumed to belong to Govt.

The Govt want Govt to hand over the land to them for a bus stand and in case it is decided that the ownership thereof does not vest with Govt to work of the Postal authorities to hand it over to the Govt for a reasonable Compensation.

The Law Dept may be consulted as to whether the land can be presumed to belong to Govt.

(Sd)
28
28/4

Law Secy with Corrpts

Rg
1/5730

The facts prove that the Postal department is in possession of the land, though it is not clear from how many years. Under the circumstances, the presumption of ownership is in favour of the possessor & not in favour of Govt as stated by the Dy Comr.

Again, the title of the Postal Supt is

Note—Contn Sheet

WD 866—GPB—80 000—26 7 29

160 p 330 · 491/1

App F. III—23

General and Revenue Secretariat | File No | of 192

Serial No

149
Law

By 18.5.29 addressed to the Minister Pretoria shows that the Bosjesmans claim the land as their own, and hence the D.C.M. Cyrnb has suggested that the land may be applied for through the Bushmans Govt.

This certainly does not mean that the land belongs to the Bushmans Govt as the Minister President thinks (vide his letter to the E.C. of 23.7.29)

The maxim that "Possession is nine points of Law" seems to have full application to the facts of this case

D.M. 1879

Cyn: acy with Camps

2 10 30

1st Member

3 10 30

DC maybe informed suitably following the Ld's view.

OFFICE OF THE FIRST MEMBER OF COUNCIL 3 OCT 1930 No 7016

Draft sulid

15 10 30

Issue

24 10 30

Note—Contn Sheet

25

The E.C. Queenstown L 3566 of 1/11/30 says the presumption of ownership is in favour of the Bantu

4/11

GP 866—GPB—10 000—20-7 29

Office of the President
Town Municipal Council
Dated, Tumkur the 25th May 1929

27

From

K Ranga Iyengar Esquire B A L L B
President Town Municipal Council
TUMKUR

5499 C/1
11 JUNE 1929
L S G BRANCH

Mel 14928-18

GEN & REV SECTT
ER
8 JUN. 1929
G O SECTION

To

B Narayanaswami Iyengar Esquire B A B L
General Secretary to the Government of
His Highness the Maharaja of Mysore
BANGALORE

C-3537
30/5/29

Through -

The Deputy Commissioner
Tumkur District TUMKUR

OFFICE OF THE DEPUTY COMMISSIONER
No. 12992
28 MAY 1929
A3
TUMKUR DISTRICT

Sir

I have the honor to state that in connection with the widening of roads and improving the market square of the Tumkur Town a portion of the open-yard in front of the City Post-Office measuring 779 square yards is required for forming a motor bus stand A reference to the -- Superintendent of Post-Offices Bangalore Circle Bangalore was made with necessary plans for handing over the site to the Municipality with reasonable compensation After some correspondence the Superintendent of Post-Offices now writes in his letter No 56 dated 18-5-1929, Under instructions from the Post-Master General that the -- Municipality should apply for the land in question -- through our Government A copy of his letter is also enclosed herein for information On enquiry it is since learnt that the vacant space in front of the Post-Office building belongs to Government alone I request that either orders of Government may kindly be obtained for the grant of the land in question free of cost to the

14988
31/5/29

unicipality

municipality for forming a motor bus stand as per sugge tions of the Town Planning Engineer if the land belongs to Government or that the Post Master General be adderessed to ~~had~~ hand over the land to the Municipality for the purpose in case it belongs to them

I have the honor to be
Sir
Your most obedient servant

President
Town Municipal Council
Tumkur

GNR/25/5

Copy of letter No D 56 dated 18th May 1929 from the Superintendent of Post Offices Bangalore Division Bangalore to the President Town Municipal Council Tumkur

--

With reference to the correspondence ending with your letter No 512 of the 18-4-1929 I have the honor to say that I am desired by the Post-Master General to ask you kindly to apply for the land ~~thourgh~~ through the Mysore -- Government

--CO--

C O P Y "

President
"own Municipal Council
Tumkur

GNR/25/5

Appendix F G—1

SUBJECT

Diary No of letter replied to L 5299

General and Revenue Secretariat

(mil)

the *192*

Date of issue 4 7 1929

Signed by Mr E V Ganapathi
Dyer

st of enclosures

Copied by

15

Examined by

Section mil

File No 149-28

Serial No 19

No L 445

To

The Deputy Commissioner
Tinnevelly District

Sir

With reference to your memo no L dr A3-3537/28 29 dated 28th May 1929 forwarding letter no 575/ dated 29 & 29 of the Divisional town mtee Tinnevelly regarding the grant of land measuring 779 Square yards in front of the City Post office building request for a motor bus stand, I am directed to request you to be so good as to ascertain ~~and~~ ~~[illegible]~~

over

us submit a report regarding the
ownership gene lands in question
& Very early reply is requested

Thanks

Eug Ltr

For General Superintendent

9/5/56

VOL MZ 148-23-21

No A3 - 67 - 29 30
Enclosure two copies respectively

OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

Dated Tumkur the 2nd August 192 9

GEN & R.T. 6201
6 AUG 192
L S & L

FROM

G B HEBLIKAR Esq B A LL B
Deputy Commissioner Tumkur District
Tumkur

To

B Narayanaswami Iyengar Esquire B A B.L.
General Secretary to the Govt of H H the
Maharaja of Mysore
Bangalore

SIR

With reference to your letter No 45/LL 148-23-19 dated 4th July 1923 regarding the grant of land measuring 779 square yards to the Municipality in front of the City Post Office building I have the honor to forward herewith a copy of letters Nos 29 and 34 dated 18th July and 23rd July respectively stating that it is presumed that the land belongs to Government

I have the honor to be
sir
Your most obedient servant,

G B Heblikar

Deputy Commissioner
Tumkur District
4/8/23

LL 2/8

WD 54€—GPB—50 CCO—4 9 8

192

From

To

Dated

Despatched

Received

General No _____
No

Enclosure No

Copy of letter 54/A -30 dated 23rd July 1929, from the President Town Municipal Council Tumkur, to the Deputy Commissioner Tumkur District

--CO--

With reference to your no A 3 67/29-30 dated 17th July 1929 forwarding a copy of letter no L 45/1 149-A -19 dated 4-7-1929 from the General Secretary regarding the ownership of the land in front of City Post office I have the honor to invite your kind reference to this office letter no 29 dated 18th July 1929 in the Superintendent himself mentions in his letter (copy of which has already been sent) that the land should be applied through Sesore Govt it may be presumed thereupon that the land belongs to Govt "

--CO--

CC I

Deputy Commissioner
Tumkur District

AD 2/8

23/8/29

Letter No 29 dated 18th July 1929 from the President Town Municipal Council Tumkur to the Deputy Commissioner Tumkur District

--oo--

I have the honor to forward herewith a copy of letter No D 56 dated 18th May 1929 received from the Superintendent of Post Offices Bangalore intimating that he has been directed by the Post Master General to inform me that the land applied for by the Municipality in front of the City Post Office for forming a Motor Bus Stand may be applied for through the Mysore Govt etc and to further request you to kindly get the said land to the - Municipality at an early date for the purpose After hearing from you, necessary action will be taken to remove the compound In this connection, I have already made a reference to Government through you in this office letter No 575/28-29 dated 27th May 1929 and herein enclose again a copy of it for reference "

--oo--

COPY

Deputy Commissioner,
Tumkur District

4/8/29

AD 2/8

Copy of letter No D 56 dated 13th May 1929 from the Superintendent of Post Offices Bangalore Division Bangalore, to the President Town Municipal Council Tumkur

---

With reference to the correspondence ending with your letter No 512 of the 18-4-1929 I have the honour to say that I am directed by the Postmaster-General to ask you kindly to apply for the land through the Mysore Government

---

C O P Y "

for President
Town Municipal Council
T MKR

GNR/18/7

Copy of letter No 575/28-29 dated 24/27th May 1929 from the President,Town Municipal Council Tumkur to the General Secretary to the Government of His Highness the Maharaja of Mysore Bangalore through the Deputy -- Commissioner,Tumkur District

---

I have the honour to state that in connection with the widening of roads and improving the market square of the Tumkur Town a portion of the open-yard in front of the City Post Office measuring 770 Square yards is required for forming a motor bus stand A reference to the -- Superintendent of Post Offices Bangalore Circle,Bangalore was made with necessary plans for handing over the site to the Municipality with reasonable compensation After some correspondence the Superintendent of Post Offices now writes in his letter No 56 dated 18-5-1929 under instructions from the Post Master General that the -- Municipality should apply for the land in question -- through our Government A copy of his letter is also enclosed herein for information On enquiry it is since learnt that the vacant space in front of the post Office building belongs to Government alone I request that either orders of Government may kindly be obtained for the grant of the land in question free of cost to the Municipality for forming a motor bus stand as per -- suggestions of the Town planning Engineer if the land belongs to Government or that the Post Master General be addressed to hand over the land to the Municipality for the purpose in case it belongs to them

---

" C O P Y "

Raghavendra

For President
Town Municipal Council
TUMKUR

GMP/18/7

Appendix F G—1

SUBJECT

Diary No of letter replied to L 6220

General and Revenue Secretariat

(nil)

the *192*

Date of issue 24/9/29

Signed by [illegible]

st of enclosures

Copied by

Examined by

Section nil

File No 148 - 28

Serial No 22

No L 2285

To

The Deputy Commr

Tuticorin District

Sir

With reference to correspondence ending with your letter no A. 67/29-30 dated 2/8/29 stating that it is presumed that the land in front of the Post office building belongs to Govt I am directed to observe that Govt cannot act on presumption and to request you therefore to make the necessary enquiry and send up a definite report to Govt ~~in order to a decision~~ as to

over

whether the land required belongs
to Govt or not

I have etc

WB
16/8

Rn

for General Secy to Govt

83
12-10

DJ
16/8

No Rev A3 67-22-30 OFFICE OF THE DEPUTY COMMISSIONER
TUMKUR DISTRICT

Enc

Dated Tumkur the 8th April 1930

GEN REV SECT 4967 11 APR 1930

FROM

G B HEBLIKAR ESQ BA, LLB
Deputy Commissioner
Tumkur District Tumkur

To

ml-148-28-24

R Ranga Rao Esquire B A B L
Secretary to the Government of H H the
Maharaja of Mysore
General *Department*
Bangalore

SIR

Adverting to your letter No L 2285/L1 148-28-22 dated 24-9-1929, requesting to send up a definite reply as to whether the land in front of Tumkur Town Post Office required for the motor stand, belongs to Government or not I have the honor to state that a report was called for from the Amildar, Tumkur in the matter He reports that there are no entries in village accounts to show that the land belongs to Government, that the Postal Authorities have constructed a fence and a gate and that as the land in question is situated in the midst of the town, it may be considered to belong to the Municipality

Thereupon, the President Municipal Council, was requested to report whether the said land belonged at any time to the Municipality and if so when it was made over to the Postal Authorities The President, has replied to say that no information regarding the above is forthcoming and requests that as the land is necessarily required for the formation of the bus stand in view of the proposals for improvement by the Town Planning Engineer arrangements may be made to acquire the land from the Postal Authorities The Postal Department do not seem to be in possession of any document to show that that Department is the owner of the land Unless the Secretariat Records of

of 1888 transferring the " ANCHE " to the British Postal Department show that the land has been transferred I think it has to be presumed that it vests with the Mysore Government

I have the honor to be

sir

Your most obedient servant

Senior Assistant Commissioner,
For Deputy Commissioner,
(Absent from Station)

AD 8/4

8/4/30

Appendix F G—1

SUBJECT

Section ME

File No 148 28

Serial No 25

No L.35-66

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

To

The D C Jaintia

Sir,

Date of issue 1/11/30

Signed by Sd/- N. S. Sastri

With refce to Correspondg ending with your letter noldis A3 67/29 30 dd 4 30 re the ownership of the land in front of the Jowai Town reqd for a bus stand Post-offices, I am directed to state that the facts of the ~~facts~~ case prove that the Postal deptt is in possession of the land though it is not clear from how many years and that, under the circs, the

List of enclosures

Copied by

Examined by

Later

presumption of ownership is
in favour of the Post Office and
not in favour of Govt as stated
by you

I have &c

VS 24 10 30

for Genl Secy

mB